

**CERTIFICATE OF EXPRESS MAIL (37 CFR 1.10) Label No. EJ939592799US.**

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Jan 12, 2001  
(Date)

Mary Rutkowski  
(Printed Name)

Mary Rutkowski  
(Signature)

Docket No. SEE 36525/US/N3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICATION OF: Willem F. Broekaert et al.**

**SERIAL NO.: Not Assigned**

**GROUP ART UNIT: Not Assigned**

**FILED: Not Assigned**

**EXAMINER: Not Assigned**

**FOR: Biocidal Proteins**

Assistant Commissioner For Patents  
Washington, D.C. 20231

Sir:



**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above-identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

( ) In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

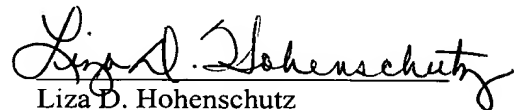
- ( ) Certification in Accordance with §1.97(e) is attached.
- ( ) Please charge the fee of **\$240.00** as set forth in §1.17(p) to Deposit Account No. 09-0013.
- ( ) In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are:
- ( ) Certification in Accordance with §1.97(e);
- ( ) Petition Requesting Consideration of the Information Disclosure Statement;
- ( ) Please charge the fee of **\$130.00** as set forth in §1.17(i)(1) to Deposit Account No. 09-0013.
- ( ) Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ( XX ) In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the Patent and Trademark Office in the parent applications for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 09-0013.  
This form is submitted in duplicate.

Respectfully submitted,

Syngenta Crop Protection, Inc.

By:



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Dated: January 12, 2001

Form PTO-1449

# **INFORMATION DISCLOSURE CITATION BY APPLICANT**

*(Use several sheets if necessary)*

DOCKET NUMBER  
SEE 36525/US/N3

APPLICATION NUMBER  
Not Assigned

APPLICANT  
Willem F. Broekaert et al.

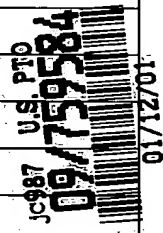
FILING DATE  
Not Assigned

EXAMINER  
Not Assigned

GROUP ART UNIT  
Not Assigned

## **U.S. PATENT DOCUMENTS**

Examiner Initials	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	4,940,840	7/90	Suslow et al.			
	4,351,762	9/82	Verlander et al.			
	5,689,043	11/18/97	Broekaert et al.			
	5,538,525	07/23/96	Broekaert et al.			



## **FOREIGN PATENT DOCUMENTS**

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	0375091	6/90	EPO				
	9011770	10/90	WIPO				

## **OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	Fernandez de Caley et al., <b>Chemical Abstracts</b> , vol. 77, abstract no 70756, 1972.
	Jones et al., <b>Chemical Abstracts</b> , vol. 97, abstract no. 108755, 1982.
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	Parsons, J. A., <b>'Peptide Hormones'</b> , published 1976 by University Park Press (Baltimore), pp 1-7.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.